APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,138	02/27/2004	Prasad Peddada	BEAS-01324US1	9238

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EXAMINER
DUONG, OANH L

ART UNIT	PAPER NUMBER
2155	

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08/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/789,138	PEDDADA, PRASAD
	Examiner	Art Unit	
	Oanh Duong	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *02/27/2004*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-24* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-24* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-SB/08)
   Paper No(s)/Mail Date *06/19/2007*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-24 are presented for examination.

Claim Objections

2.   Claims 1, 4, 5, 9, 13, 17, and 21 are objected to because of the following

informalities:

Regarding claim 1, the features "may be" in line 5 should not be used in the

claim.

Regarding claim 4, the features "it" in line 3 should not be used in the claim.

Regarding claim 9, the feature "it" in line 7 should not be used in the claim.

Regarding claim 17, the feature "it" in line 7 should not be used in the claim.

Claim 17 recites the limitation "the computer" in line 2. There is insufficient

antecedent basis for this limitation in the claim.

Regarding claim 5, 13, and 21, acronym "JNDE" should be defined.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobs

et al. ("Jacob"), US 2002/0023173 A1.

Regarding claim 1, Jacobs teaches a system for communicating information

about server resources between servers in a cluster (abstract and Fig. 4), comprising:

a cluster having a plurality of servers, including a first server and a second

server(servers 302, 303, Fig. 4);

a set of resources or services on said first server that may be used by other

servers in the cluster (page 6 paragraph [0111]-[0112]); and,

wherein said first server sends an advertisement of its services to other servers

in the cluster, wherein if said second server determines it is out of synchronization with

said first server, or missed an advertisement, said second server makes a point-to-point

request to said first server requesting any advertisements missed (page 8 paragraph

[0135]), and,

wherein said first server responds to said point-to-point request by sending

updated information to said second server (page 9 paragraph [0144]).

Regarding claim 2, Jacob teaches system of claim 1 wherein said request is in

the form of an http request (the first device/server communicates with the second

device/server using HTTP, page 3 paragraph [0028]).

Regarding claim 3, Jacob teaches the system of claim 1 wherein each member

of the cluster receives the advertisement, but those members who do not need to be

updated ignore the advertisement (page 9 paragraph [0144]).

Regarding claim 4, Jacob teaches the system of claim 1 wherein a third server

may be newly added to the cluster, and wherein said third server waits for

advertisements and then makes point-to-point requests to each server requesting

advertisements it missed from that particular server (page 9 paragraph [0144).

Regarding claim 5, Jacob teaches the system of claim 1 wherein the request is a

request to retrieve an update to or a copy of the sending servers JNDI tree (page 8

paragraphs [0134]-[0135]).

Regarding claim 6, Jacob teaches the system of claim 5 wherein the

determination as to whether the first server is out of synchronization with said first

server, or missed an advertisement, is made by determining that the first server's JNDI

tree is out of synchronization with the second server's JNDI tree (page 8 paragraph

[0135]).

Regarding claim 7, Jacob teaches the system of claim 6 wherein the receipt of

updated information at said second server is used to synchronize its internal JNDI tree

with the resources provided at first server (page 8 paragraph [0126]).

Regarding claim 8, Jabobs teaches the system of claim 5 wherein as part of the advertisement the first server packages a JNDI update of all if its services and multicasts the package to all cluster members (page 9 paragraph [0144]).

Regarding claims 9-16, those claims recites a method of communicating information about server resources between server in a cluster performed by a system claim 1-8, discussed above, same rationale of rejection is applicable.

Regarding claims 17-24, those claims do not recite or define any new limitation above claims 1-8, discussed above, same rationale of rejection is applicable.

5.   Claims 1, 9, and 17 rejected under 35 U.S.C. 102(b) as being anticipated by Admitted Prior Art ("APA").

Regarding claims 1, 9, and 17, APA teaches a system for communicating information about server resources between servers in a cluster, comprising:

a cluster having a plurality of servers, including a first server and a second server (i.e., "clusters of servers are often used," page 1 paragraph [0003]);

a set of resources or services on said first server that may be used by other servers in the cluster (page 3 paragraph [0006]); and,

wherein said first server sends an advertisement of its services to other servers in the cluster (i.e., "each server within the cluster binds its resources to its internal

naming service, which is then replicated (advertised) to all of the other cluster members," page 5 paragraph [0007]),

wherein if said second server determines it is out of synchronization with said first server, or missed an advertisement, said second server makes a point-to-point request to said first server requesting any advertisements missed (*i.e., the second server issues a request to the first server, saying "I missed an update-packet-please resend it," page 5 paragraph [0005]),* and,

wherein said first server responds to said point-to-point request by sending updated information to said second server (*i.e., "In return the second server will be sent the missing update," page 5 paragraph [0009]).*
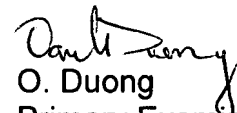

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O. Duong
Primary Examiner
August 4, 2007